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B. E. P. Q.--402, Revised. April 1, 1937.

PLANT-QUARANTINE IMPORT AND TRANSIT RESTRICTIONS

OF THE

REPUBLIC OF AUSTRIA

UNITED STATES DEPARTMENT OF AGRICULTURE
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REPUBLIC OF AUSTRIA

This summary of the plant-quarantine import restrictions of the Republic of Austria has been prepared for the information of nurserymen, plant-quarantine officials, and others interested in the exportation of plant products to that country.

It was prepared by Harry B. Shaw, Plant Quarantine Inspector, in Charge of Foreign Information Service, Division of Foreign Plant Quarantines, from his translations of the original texts of regulations promulgated to prevent the introduction into Austria of phylloxera, San Jose scale, the apple maggot or fruit fly, Colorado potato beetle, potato wart, and other injurious insects and diseases, and reviewed by the Federal Institute for Plant Protection of the Federal Ministry of Agriculture and Forestry of Austria.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts of the respective decrees and regulations, and it is not to be interpreted as legally authoritative. Those decrees and orders should be consulted for the exact texts.

LEE A. STRONG
Chief, Bureau of Entomology and Plant Quarantine.

PLANT-QUARANTINE IMPORT AND TRANSIT RESTRICTIONS

OF THE

REPUBLIC OF AUSTRIA

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PLANT-QUARANTINE IMPORT AND TRANSIT RESTRICTIONS OF THE REPUBLIC OF AUSTRIA

Objects of Austrian Plant-Quarantine Restrictions

The plant-quarantine restrictions of the Republic of Austria are designed to prevent the introduction into, and distribution in, Austria of grape phylloxera (Phylloxera (vastatrix) vitifolia Fitch), San Jose scale (Aspidiotus perniciosus Comst.), apple maggot or fruit fly (Rhagoletis pomonella Walsh), Colorado potato beetle (Leptinotarsa (Doryphora) decemlineata Say), potato wart (Synchytrium endobioticum (Schilb.) Perc.), and of other injurious insects and diseases.

BASIC LEGISLATION

International Phylloxera Convention of November 3, 1881 (R. G. Bl. No. 105, 1882);

Customs Law of June 10, 1920, section 2 (St. G. Bl. No. 250, 1920);

Federal Law of July 12, 1929, part II, sections12, 13, and 15 (B. G. Bl. No. 252, 1929);

Potato Wart Law, Supplement No. I of December 20, 1929 (B. G. Bl. No. 5, 1930).

SUMMARY

Importation and Transit Prohibited

GRAPEVINE STOCKS AND ALL PARTS THEREOF (except grapes), composts, used props and supports, living grapevine phylloxera and their eggs, as well as shipments of any kind if grape leaves or stems are included: Importation from any country into Austria and transit therein are prohibited to prevent the introduction of phylloxera. (International Phylloxera Convention of Nov. 3, 1881; Ministerial decrees of July 15, 1882, May 1, 1883, Jan. 24, 1890, and Nov. 8, 1896.) (See page 7.)

PLANTS AND OTHER SHIPMENTS OF ANY KIND ATTACKED BY AN INJURIOUS PLANT PEST OR DISEASE: Importation and transit prohibited. (Decree of July 18, 1932, art. 1; B. G. Bl. No. 222, 1932.) (See p. 9.)

FRESH POTATOES, ROOTED PLANTS (parts of plants), if the roots are in balls of earth, bulbs, root-crops, rhizomes, tubers, also tomatoes, eggplants, and strawberries: Importation from the United States, Canada, Belgium, and Continental European France into Austria and transit therein prohibited to prevent the introduction of the Colorado potato beetle. (Decree B. G. Bl. No. 483, 1935, art. 11.) (See p. 14.)

MATERIAL USED FOR PACKING the products named in the preceding paragraph or for other vegetables and truck crops, as well as leafy and other refuse from those products, also earth, manure, and compost: Importation from the countries named in the preceding paragraph and transit through Austria prohibited to prevent the introduction of Colorado potato beetle. (Decree of July 18, 1932, art. 14; B. G. Bl. No. 222, 1932.) (See p. 14.)

PACKING MATERIAL, PEELINGS, AND REFUSE OF FRESH POTATOES: Importation from any country and transit through Austria prohibited to prevent the introduction of potato wart. (Decree of Jan. 9, 1930, art. 1; B. G. Bl. No. 25, 1930.) (See p. 16.)

Importation and Transit Restricted

PLANTS, SHRUBS, AND OTHER CULTURES, INCLUDING SCIONS, CUTTINGS, etc., except grapevines: Importation and transit permitted only when the shipments are accompanied by a shipper's declaration and an official certificate affirming freedom from phylloxera in the prescribed form. (International Phylloxera Convention, Nov. 3, 1881, and decrees of July 15, 1882, May 1, 1883, and Jan. 24, 1890.) (See p. 7.)

FRUIT TREES AND BERRY-BEARING SHRUBS, AS WELL AS OTHER DECIDUOUS TREES AND SHRUBS, INCLUDING THEIR STOCKS, SCIONS, AND CUTTINGS: Importation permitted from any country by rail, sea, or mail, if an import permit has been granted by the Austrian Ministry of Agriculture in each case and if accompanied by a phytosanitary certificate and a declaration of origin and if provided with a seal, to prevent the introduction of San Jose scale. (Decree of July 18, 1932, art. 5; B. G. Bl. No. 222, 1932.) (See p. 10.)

OTHER PLANTS AND PARTS OF PLANTS, EXCEPT CUT FLOWERS, DECIDUOUS AND OTHER FRUITS, VEGETABLES, ROOT CROPS, TUBERS (POTATOES), BULBS, RHIZOMES, AND OTHER SUBTERRANEAN PARTS OF PLANTS AND ALSO SEEDS: Importation from any country by rail, sea, or mail and transit through Austria permitted if accompanied by a phytosanitary certificate affirming that the shipment is free from San Jose scale and other injurious plant diseases and pests. (Decree of July 18, 1932, art. 6; B. G. Bl. No. 222, 1932; see also paragraph I (c) and II (c).) (See pp. 7 and 12.)

FRESH APPLES AND PEARS AND REFUSE THEREOF: Importation permissible from any country on the basis of a phytosanitary certificate affirming the freedom of the shipment from San Jose scale and apple maggot. (Decree of July 18, 1932, art. 8; B. G. Bl. No. 222, 1932.) (See p. 13.)

SHIPMENTS OF THE PRODUCTS INDICATED IN SECTIONS (I) TO (III): Transit by rail, vessel, or mail is exempted from the import restrictions mentioned therein, if the shipment is made in closed, undamaged containers or in sealed cars with a through bill of lading (mail address). (Decree of July 18, 1932, art. 9; B. G. Bl. No. 222, 1932.) (See p. 13.)

GRAPES AND GRAPE MARC: Importation and transit permitted in prescribed containers; vintage grapes must also be compressed. (International Phylloxera Convention of Nov. 3, 1881; Ministerial decrees of July 15, 1882, and Nov. 8, 1896.) (See p. 7.)

VEGETABLES AND TRUCK CROPS (except potatoes), bulbs, root crops, rhizomes, and tubers, as well as tomatoes and eggplants: Importation from the United States, Canada, Belgium, and Continental European France and transit through that territory permitted only from November 15 to March 14, to prevent the introduction of Colorado potato beetle. (Decree B. G. Bl. No. 483, 1935, art. 12.) (See p. 14.)

FRESH POTATOES, ALSO ROOTED PLANTS (parts of plants) with balls of earth, bulbs, root crops, rhizomes, tubers, tomatoes, eggplants, strawberries, and other vegetables and truck crops, if these products do not originate in the United States, Canada, Belgium, and Continental European France, but traversed one of those countries in transit: Importation and transit permitted only from November 15 to March 14, on observing in all cases the other import conditions, and on condition that their origin is attested by documents, to prevent the introduction of Colorado potato beetle. (Decree B. G. Bl. No. 483, 1935, art. 13.) (See p. 14.)

FRESH POTATOES from countries that have been expressly declared by the Austrian Ministry of Agriculture to be free from potato wart: Importation and transit by rail are permitted under definitely prescribed conditions with a phytosanitary certificate of origin. (Decree of Jan. 9, 1930, arts. 2 and 9; B. G. Bl. No. 25, 1930.) (See p. 16.)

FRESH POTATOES FROM OTHER COUNTRIES: Importation for seed purposes only, permitted on condition that the Austrian Ministry of Agriculture, in every instance has granted an import permit, that the special provisions of this import permit have been complied with, and that the shipment is accompanied by the prescribed phytosanitary certificate and certificate of origin. (Decree B. G. Bl. No. 484, 1935, art. 4.)

FRESH POTATOES THAT ORIGINATE IN COUNTRIES RECOGNIZED AS FREE FROM POTATO WART, but which have traversed a wart-infested country: Importation permissible on compliance with the conditions of the foregoing paragraph (d) (1), but only in sealed box-cars or in closed, undamaged and sealed containers, to prevent the introduction of potato wart. (Decree of Jan. 9, 1930, art. 5; B. G. Bl. No. 25, 1930.) (See p. 16.)

FRESH POTATOES FROM ANY COUNTRY EXCEPT THE UNITED STATES, Canada, Belgium, and Continental European France: Transit in sealed box-cars or closed and undamaged and sealed containers by rail and ship is permissible. (Decree of Jan. 9, 1930, art. 9; B. G. Bl. No. 25, 1930.)

PLANTS, AND PARTS THEREOF, OF EVERY KIND: Importation or transit, by derogation of the foregoing prohibitions (I) and restrictions (II (a) to (f)) is permissible on the basis of an import permit granted in each case by the Austrian Ministry of Agriculture on compliance with the special conditions prescribed in the permit. (Decrees of Jan. 9, 1930, art. 10; B. G. Bl. No. 25, 1930, and July 18, 1932, art. 19; B. G. Bl. No. 222, 1932.) (See p. 15.)

Importation and Transit Unrestricted

CUT FLOWERS, SEEDS (ALSO GRAPE SEEDS), DECIDUOUS AND OTHER FRUITS (except apples, pears, strawberries, tomatoes, eggplants, and grapes): Importation and transit permitted without restriction from all countries. (International Phylloxera Convention, Nov. 3, 1881, and the Ministerial decree of July 15, 1882; also the decree of July 18, 1932, art. 10; B. G. Bl. No. 222, 1932.) (See p. 9.)

PRESERVED DECIDUOUS FRUITS AND VEGETABLES, dried deciduous fruits, dried potatoes, potato flour: Importation and transit permitted from all countries without restriction. (Decree of July 18, 1932, arts. 10 and 15; B. G. Bl. No. 222, 1932.) (See pp. 13 and 15.)

STRAWBERRIES, VEGETABLES, ROOT CROPS, TUBERS (except potatoes), bulbs, rhizomes and other subterranean parts of plants: Importation and transit permitted without restriction from all countries except United States, Canada, Belgium, and Continental European France. (International Phylloxera Convention, Nov. 3, 1881, and the Ministerial decree of July 15, 1882; also the decree of July 18, 1932, art. 10; B. G. Bl. No. 222, 1932.) (See p. 13.)

RESTRICTIONS ON ACCOUNT OF PHYLLOXERA

Based upon the International Phylloxera Convention of Berne, November 3, 1881, the following restrictions were promulgated by the Ministerial Orders of July 15, 1882, May 1, 1883, Jan. 22, 1885, Jan. 24, 1890, and November 8, 1896.

I. Importation and Transit Prohibited

The importation into and transit through Austrian federal territory are prohibited from any source of:

(a) Grapevines, including stocks and cuttings thereof, with or without roots;

(b) Grapevine stems, dry or fresh, entire or in fragments, and leaves;

(c) Shipments of any kind which contain grapevine leaves or stems;

(d) Composts, used props or supports;

(e) Living phylloxera and their eggs.

II. Importation and Transit Restricted

(a) Plants, shrubs, and other cultures, including stocks, cuttings, etc., from nurseries, gardens, greenhouses, hotbeds, orangeries, etc., except grapevines, may be imported under the following conditions:

(1) These products must be carefully packed in such a manner that the necessary inspections can be made;
(2) They must be accompanied by a shipper's declaration which:
  (a) Affirms that the entire contents of the shipment originated in his establishment;
  (b) Indicates the destination and the address of the consignee;
  (c) Affirms that the shipment contains no grapevines;
  (d) Indicates whether the shipment includes plants with balls of earth;
  (e) Bears the signature of the shipper.

(3) Each shipment must also be accompanied by an inspection certificate issued by a competent authority of the country of origin certifying:

(a) That the plants originate in ground located at a distance of at least 20 meters from any grapevines or whose roots are isolated therefrom by some obstacle deemed sufficient by competent authority;
(b) That the ground itself contains no grapevines;
(c) That no grapevines have been stored on the place;
(d) That if grapevines infested with phylloxera had been found on the property, their complete extermination had been effected by repeated disinfection and that investigations had been made for a period of three years, thus insuring the total destruction of the insects and of the grapevine roots.

(b) Of the inspection certificate of the competent authority of the country of origin prescribed in the preceding paragraph (3), exception is to be made for shipments originating in an establishment whose name is included in the list published in accordance with article 9 (6) of the International Phylloxera Convention.

(c) The goods indicated under (a) are admitted for transit under customs seal and supervision without regard to their origin.

(d) Grapes and grape marc are admitted for importation and transit under the following conditions:

(1) Table grapes may be packed only in well-constructed boxes, cases, or baskets, or in barrels of any size, but which are easy to inspect, and they must not contain grapevine leaves or stems.
(2) Vintage grapes may be shipped only when compressed in tightly headed barrels of at least 5 hl. capacity and must be cleaned in such a manner that they contain neither earth nor fragments of grapevines.
(3) Grape marc may enter into traffic only in tightly closed cases or casks.

III. Importation and Transit Unrestricted

The importation and transit of cut flowers, seeds, bulbs, grape-seeds, wine, fruit of all kinds (except grapes), and vegetables, are unrestricted by the Phylloxera Convention, consequently their entry for import or transit may be made through any customs office authorized for entry.

GENERAL PHYTOSANITARY TRAFFIC RESTRICTIONS AND SPECIAL PROVISIONS TO PREVENT THE INTRODUCTION OF SAN JOSE SCALE, APPLE MAGGOT, AND COLORADO POTATO BEETLE

The following provisions concerning importation into, and transit through, Austria were made through the decree of July 18, 1932; B. G. Bl. No. 222, 1932, amended by the decree B. G. Bl. No. 483, 1935.

GENERAL REGULATIONS

Importation of Shipments Attacked by Injurious Insects and Plant Diseases Prohibited

Article 1. The importation into, or transit through, Austrian federal territory is prohibited of shipments of any kind which are attacked by injurious insect pests or plant diseases and which may cause the introduction of such a pest or disease.

Art. 2. The types of shipments referred to in article 1, and also those restricted by articles 5 to 9 and 11 to 14, are excluded from entry or transit when presented at the frontier if not provided with the prescribed documents, or if they do not comply with the provisions of this decree or with the special requirements prescribed in particular cases.

Inspection on Arrival

Art. 3. Officials of the Federal Institute of Plant Protection, Vienna, and specialists authorized in conformity with paragraph 1, article 13, Plant Protection Law of July 12, 1929; B. G. Bl. No. 252, 1929, have the right to inspect shipments from foreign countries, the importation or transit of which is suspicious from the standpoint of plant protection, before the release of such consignments through the customs, and in all cases to make an inspection and to verify the correctness of accompanying certificates.

SPECIAL REGULATIONS
CONCERNING PARTICULAR PLANT PESTS AND DISEASES

Art. 4. Prescribes that the special provisions for protection against potato wart and phylloxera shall not be affected by this decree.

SAN JOSE SCALE AND APPLE MAGGOT

Inspection Certificate and Disinfection Required

Art. 5 (1). The importation from any country into the federal territory of deciduous fruit trees and berry-bearing shrubs, as well as of other deciduous trees and shrubs, including their stocks, slips, cuttings, and scions, is permissible only when each shipment:

1. Is accompanied by a certificate issued by the official plant protection service of the exporting company, declaring that:

   (a) Upon inspection, the shipment was found free from injurious insect pests and plant diseases, and

   (b) An effective disinfection with hydrocyanic acid gas was carried out in the exporting country, whereupon each plant or package (bale, basket, packet, etc.) was provided with a seal of the official plant protection service (the inscription of which is to be borne by the certificate) in such a manner that the substitution of the plants for others is precluded, and

2. The shipment corresponds to those conditions.

Model Phytosanitary Certificate and
Disinfection Certificate

To Whom It May Concern:

The undersigned, (full name) _____ _____, inspector in charge for the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, at the port above indicated, certifies that the plants or plant products described below, have been inspected and are deemed free from injurious insects and plant diseases, and especially from those which are the subject of prohibitions or special restrictions of the country of destination.

Furthermore, that the shipment was subjected in the United States to an efficacious disinfection with hydrocyanic acid gas, whereupon each plant or package was provided with a seal of the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture.

Description of Shipment

Quantity, weight and kind of packages
Marks of packages
Weight of shipment
Description of plants or parts thereof
Locality of origin
Full name and address of shipper

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An alle Interessenten:

Der Unterzeichnete, (full name) _____ _____, Inspektor der Abteilung für Entomologie und Pflanzenquarantäne des Ministeriums für Landwirtschaft der Vereinigten Staaten von Nord Amerika (Bureau of Entomology and Plant Quarantine, United States Department of Agriculture), bescheinigt hiermit, dass die beschriebenen Pflanzen oder Pflanzenerzeugnisse untersucht und als frei von jeglichen Schädlingen und Pflanzenkrankheiten gehalten worden sind, besonders von solchen, die Gegenstand eines Verbotes oder besonderer Beschränkungen des Einfuhrlandes sind, hauptsachlich von San Jose Schildlaus.

Ferner, dass die Sendung, in der Vereinigten Staaten, einer wirksamen Entwesung mit Blausäure unterzogen worden sind, bei der jede Pflanze oder jedes Frachtstück mit der Plombe der Abteilung für Entomologie und Pflanzenquarantäne der Ministerinums für Landwirtschaft der Vereinigten Staaten von Nord Amerika derart versehen wurde.

Die Inschrift der Plombe ist: (Insert the inscription of the seal).

Beschreibung der Sendung

Zahl, Gewicht, und Art der Kollis
Bezeichnung der Kollis
Gewicht der Sendung
Beschreibung der Pflanzen oder Pflanzenteile
Angabe des Ursprungsortes
Name, Vorname und Anschrift des Absenders

Import Permit Required

Art. 5 (2). The importation of plants and parts of plants indicated in article 5 (1), presupposes an import permit from the Federal Ministry of Agriculture and Forestry, which is to be attached to the import shipment.

In the application for such an import permit, the quantity, species, and variety of trees and shrubs, their form of growth, and particularly their source are to be accurately indicated.

Certificate Required with Plants
Other than Those Mentioned in Article 5

Art. 6 (1). Without prejudice to the exception in article 10, each shipment of living plants and parts of plants, other than those indicated in Article 5 (1), must be accompanied by a certificate issued by the plant protection service of the exporting country, affirming that upon inspection they were found free from San Jose scale and other injurious pests and diseases.

Art. 6 (2). However, shipments of rooted plants and parts of plants with balls of earth fall also under the provisions of article 12.

Importation by Rail, Water, and Mail Permitted

Art. 7. The importation of shipments of all the kinds referred to in articles 5 and 6, is permitted by rail, water, and mail only.

Inspection Certificate Required for Apples and Pears

Art. 8. The importation of fresh apples, pears, and refuse or wastes thereof, from any country into federal territory is permissible only when each shipment is accompanied by a certificate issued by the plant inspection service of the country of origin or of the exporting country affirming that, upon inspection, they were found free from San Jose scale and apple fruit fly or maggot.

Transit Restrictions

Art. 9 (1). The provisions of articles 5 (1), 6, 7, and 8 apply also to transit traffic through the federal territory.

(2). The transit of shipments of the kinds indicated in articles 5, 6, and 8 which, when effected by rail, ship, or mail, is exempt from the special import restrictions when such shipments are transported in closed, undamaged containers or wrappers, or in sealed cars on a through bill of lading from one foreign country to another.

Unrestricted Products

Art. 10. The traffic restrictions of articles 5 to 9 do not apply to cut flowers, fresh fruits (other than apples and pears), and other fruits, preserved fruits, dried fruits, vegetables, root crops, tubers (potatoes), bulbs, rhizomes, and other subterranean parts of plants, as well as seeds.

COLORADO POTATO BEETLE

Importation of Potatoes from Canada, United States, France Prohibited Throughout the Year

Art. 11. The importation into and transit through Austria of fresh potatoes, rooted plants (parts of plants), with balls of earth, of bulbs, root crops, rhizomes, and tubers, as well as of tomatoes, eggplants, and strawberries from the countries named in article 16, in which the Colorado potato beetle already exists, or which are threatened by it, are prohibited throughout the year.

Importation and Transit Temporarily Permitted of other Plant Products

Art. 12. The importation into and transit through Austrian territory of other vegetables and culinary plants than those mentioned in article 11, from the countries named in article 16, is permitted only from November 15 to March 14.

Transit only Permitted of Products from Countries Invaded by Colorado Potato Beetle

Art. 13. The importation and transit of shipments which include products named in articles 11 and 12, and which were only forwarded in transit through the countries named in article 16, into or through Austria, are exempt from the restrictions imposed on account of potato wart, but only during the period November 15 to March 14, and only on condition that the origin of such a shipment appears on the bill of lading, or is stated in a phytosanitary certificate of the official plant inspection service of the country of origin, or through a special declaration of a customs authority, a railroad official, or port official.

Importation and Transit Prohibited of Previously Used Packing Material, Earth, and Manure

Art. 14. Wrappers and material of any kind that have been used for packing or storing the products, or refuse thereof, referred to in articles 11 and 12, leaves and other refuse (peelings), also earth, manure, and compost, from the countries named in article 16, are excluded from entry into, and transit through, the federal territory.

Traffic Restrictions do not Apply to Dried and Processed Products

Art. 15. The traffic restrictions of articles11 to 13 do not apply to shipments of dried products and processed foods, such as dried potatoes, potato flour, canned tomatoes, and vegetables, etc.

Localities where Colorado Potato Beetle Occurs

Art. 16. As countries in which the Colorado potato beetle occurs, the following are at present named: United States, Canada, Belgium, and Continental European France.

If necessary, the foregoing regulations may be extended to other countries and localities which may yet become invaded or menaced by the Colorado potato beetle.

Clearance of Transit Shipments

Art. 17. Any shipment affected by this decree, which is intended by the shipper for transit, may be cleared through the customs into the federal territory only when it is treated in accordance with the corresponding kind of shipment among those mentioned in articles 5, 6, 8, 12, and 13, and the above-described certificate, or an import permit, may be produced especially for such a shipment.

Certificate Required in German And in the Language of Country of Origin

Art. 18 (1). The official certificate prescribed in this decree must be furnished both in the language of the country of origin and in German, or be provided with a certified translation in German. The date of the certificate shall not be more than 3 weeks prior to the date of shipment.

Import Permits Mitigating the Preceding Regulations

Art. 19. The Federal Minister of Agriculture and Forestry can mitigate the provisions of the foregoing regulations pertaining to the importation and transit of shipments that are governed by them, if thereby the introduction of San Jose scale, apple maggot, and Colorado potato beetle is not to be apprehended.

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Art. 20. Penalties.

Art. 21. Revocation of earlier decrees.

POTATO WART

Imposed by the decree of January 9, 1930; B. G. Bl. No. 25, 1930, amended by the decree B. G. Bl. No. 484, 1935, concerning the importation and transit of fresh potatoes and other articles that may be considered as carriers of the potato wart organism. (Promulgated on the basis of section 2 of the federal law of Dec. 20, 1929; B. G. Bl. No. 5, 1930.)

Importation and Transit of Fresh Potatoes Prohibited

Article 1. The importation and transit of fresh potatoes, as well as of peelings and refuse thereof, and of sacks and other articles that have served to pack and store them, are prohibited, on account of the danger of introducing potato wart (Synchytrium endobioticum), with certain exceptions.

Provision is made for the importation and transit, under prescribed conditions, including a phytosanitary certificate indicating healthy origin, of potatoes from countries that are free from wart disease, a list of such countries being published annually.

Since the importation of potatoes from the United States into Austria is prohibited by articles 11 and 16 of the decree of July 18, 1932, (B. G. Bl. 222, 1932), as amended by B. G. Bl. 483, 1935, on account of the Colorado potato beetle, the full text of the potato wart decree is omitted as not concerning the United States.